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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,654	04/14/2004	Yoshio Terada	Q81096	4963

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2100 PENNSYLVANIA AVE. NW
WASHINGTON, DC 20037-3213

EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
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1751

MAIL DATE	DELIVERY MODE
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06/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,654

Applicant(s)

TERADA ET AL.

Examiner

Lorna M. Douyon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8, 9 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) 11-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/2/07; 6/15/07</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. This action is responsive to the amendment filed on March 15, 2007.
2. Claims 1-5, 8-9, 11-16 are pending. Claims 6-7 and 10 are cancelled. Claims 11-16 are withdrawn from consideration as being drawn to a nonelected invention.
3. This application contains claims 11-16 drawn to an invention nonelected without traverse in the response to the election/restriction dated September 28, 2006. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.
4. The objection to claim 6 under 37 CFR 1.75(c) as being in improper form is rendered moot in view of Applicants' cancellation of this claim.
5. The rejection of claim 4 under 35 U.S.C. 112, second paragraph is withdrawn in view of Applicants' amendment.
6. The rejection of claims 1, 3-8 and 10 under 35 U.S.C. 103(a) as being unpatentable over Iwabuchi et al. (US Patent No. 6,703,121) is withdrawn in view of Applicants' amendment.
7. Claims 1-5, 8 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuura et al. (US Patent No. 6,066,404), hereinafter "Suzuura".

Suzuura teaches a packaging clean film (see col. 1, lines 6-12) which comprises a base structure having heat-sealing layer forming its inside surface and a protective layer laminated to the base structure so as to be removable (see col.1, lines 41-45). In Example 1, Suzuura teaches a laminated film comprising MDPE/LDPE (medium-density polyethylene film/low-density polyethylene resin) composite film, the outer protective layer 5, the Ony (nylon) film is the base layer 2 (equivalent to the cleaning layer which has no adhesive strength), the LDPE film is the heat-sealing layer 3, and the CPP (polypropylene) film is the inner protective layer 6 (see col. 8, lines 8-38; Figure 2). Reference numeral 6 is equivalent to the support layer and carrying member, 3 is equivalent to adhesive layer, 2 is equivalent to cleaning layer and 5 is equivalent to the releasable protective film of the present claims. In another embodiment, Suzuura teaches a laminated sheet comprising base layer 51, the heat-sealing layer 52, the first protective layer 53 and the second protective layer 31, and the sheets are made of known resins, one selection of which is polyimide resins (see col. 20, lines 26-51; Figure 18). Suzuura, however, fails to teach the relative intensities of the recited fragments ions in values as those recited, i.e. 0.1 or less, and the use of the laminated film as a cleaning sheet.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reasonably expect the relative intensities of the recited fragments ions in the laminated sheet of Suzuura to be within those recited because the films of Suzuura do not have any silicone components to yield the recited fragments ions. Even though Suzuura does not teach a cleaning sheet use of his composition, the

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two different intended uses are not distinguishable in terms of the composition, see *In re Thuau*, 57 USPQ 324; *Ex parte Douros*, 163 USPQ 667; and *In re Craige*, 89 USPQ 393.

Response to Arguments

8. Applicants' arguments filed March 15, 2007 have been fully considered but they are not persuasive.

With respect to the rejection based upon Suzuura, Applicants argue that: "Suzuura does not disclose, teach or suggest the use of a polyimide resin which is heat-resistant. Specifically, Suzuura discloses various materials that can be used as the base layer, such as an oriented nylon film (ONy film), an oriented nylon film with vinylidene chloride film, a polyethylene terephthalate film (PET film), a polyethylene terephthalate film with vinylidene chloride film (KPET film), a film of a saponified ethylene vinyl acetate (EVOH film), a polyvinylidene chloride film (PVDC film), an aluminum foil, a PET film coated with an inorganic oxide by evaporation, a PET film coated with aluminum by evaporation, and laminated films formed by laminating some of those films by dry lamination. See col. 15, lines 11-19. In addition, Suzuura discloses that the base layer can also be a film or sheet of various known resins including polyolefin resins, polyvinyl chloride resins, polyvinylidene chloride resins, polystyrene resins, polyacrylic resins, polyacrylonitrile resins, polyester resins, polyamide resins, polyurethane resins, polyaminoplast resins, alkyd resins, unsaturated polyester resins, diarylphthalate resins, phenol-formaldehyde resins, epoxy resins, polyimide resins, polycarbonate resins,

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polyvinyl alcohol resins, saponified ethylene vinyl acetate copolymers, fluorocarbon resins, vinylon resins and polyacetal resins. See col. 20, lines 32-51. Thus, Suzuura discloses at least 31 materials that can be used as the base layer.

However, there is nothing in Suzuura that would motivate or lead one of ordinary skill in the art to specifically select a polyimide resin from the various materials disclosed to the exclusion of the other materials. In addition, to arrive at the claimed subject matter, not only does one of ordinary skill in the art must select a specific material, i.e., a polyimide resin, from the various materials, but also must specifically select a polyimide resin which is heat-resistant. There is no disclosure in Suzuura that provides such motivation."

The Examiner respectfully disagrees with the above arguments because in col. 20, lines 63-67, Suzuura teaches that it is preferable to form the base layer 51 (which reads on the cleaning layer) of a material having, for example, sufficient strength, a weatherproof property and heat-resistant property because the base layer 51 serves as a fundamental functional component of a packaging material. Polyimide resins is listed as one of the materials for the base layer as disclosed in col. 20, lines 32-49.

Accordingly, the rejection based upon Suzuura is maintained.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is 571-272-1313. The examiner can normally be reached on Mondays-Fridays 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on 571-272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorna M. Douyon/
Primary Examiner
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